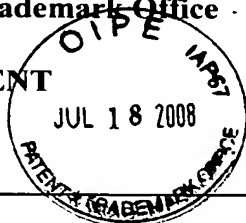


<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	Application Number	10/037,415	
	Filing Date	January 4, 2002	
	First Named Inventor	David Baltimore et al.	
	Art Unit	1636	
	Examiner Name	D. Guzo	
		Attorney Docket No.	75723-ZB/JPW/GJG



### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	December 16, 2005 Condensed Deposition of Laurie H. Glimcher in Civil Case 02 CV 11280 RWZ including deposition Exhibits 1-13 attached with this Third Supplemental Information Disclosure Statement, namely: Curriculum Vitae of Laurie H. Glimcher [DDX 385 12/16/05]; Glick and Opal, Review Article Drugs, (2004), 837-859 [DDX388 12/16/05 & Opal 105]; Opal and Huber, Critical Care, (2002), 6:125-136 [DDX389 12/16/05]; Joyce et al., The Journal of Biological Chemistry, (2001), 276:11199-11203 [DDX390 12/16/05]; Joyce and Grinnell, Crit. Care Med, (2002), 30:S288-S293 [DDX391 12/16/05]; Brun-Buisson et al., JAMA, (1995), 274:968-974 [DDX392 12/16/05]; Joyce et al., The Journal of Biological Chemistry, (2001), 276:11199-11203 [DDX393 12/16/05]; Brueckmann et al., Inflamm. Res. (2004), 528-533 [DDX394 12/16/05]; Leeuwen et al., Crit Care Med (2001), 29:1074-1077 [DDX395 12/16/05]; Derhaschnig et al., Blood. (2003), 102:2093-2098 [DDX396 12/16/05]; Kalil et al., Chock, (2004), 21:222-229 [DDX397 12/16/05]; Nick et al., Blood, (2004), 104:3878-3885 [DDX398 12/16/05]; Dhainaut, Crit Care Med. (2004) 32Supp:S194-S201 [DDX399 12/16/05];	
	2	July 16, 2007 Memorandum In Support of Eli Lilly And Company's Motion To Stay Entry of Judgement Pending Reexamination or For Settlement of Form of Final Judgement, Document 409, filed 07/16/2007, pgs. 1-18 in Civil Case 02 CV 11280 RWZ;	
	3	August 22, 2007 Reply Memorandum In Support of Eli Lilly And Company's Motion To Stay Entry of Judgement Pending Reexamination or For Settlement of Form of Final Judgement, Document 414, filed 08/22/2007, pgs. 1-11, including Exhibits 2-6 in Civil Case 02 CV 11280 RWZ;	
	4	September 10, 2007 Final Judgement, Document 417, filed 09/10/2007, pgs. 1-5 in Civil Case 02 CV 11280 RWZ;	

EXAMINER  
SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

Applicants: David Baltimore, et al.  
 Serial No.: 10/037,415  
 Filed: January 4, 2002  
**Exhibit A**

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415	
	<b>Filing Date</b>	January 4, 2002	
	<b>First Named Inventor</b>	David Baltimore et al.	
	<b>Art Unit</b>	1636	
	<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	5	September 23, 2007 Memorandum In Support of Defendant's Renewed Motion For Judgment As A Matter Of Law Or, In The Alternative, A New Trial, Document 420, filed 09/23/2007, pgs. 1-53, including Exhibit 2 in Civil Case 02 CV 11280 RWZ;	
	6	July 16, 2007 Declaration Of Laura P. Masurovsky For Eli Lilly And Company's Motion To Stay Entry Of Judgment Pending Reexamination Or For Settlement Of Form of Final Judgment, Document 410, filed 07/16/2007, pgs. 1-2, including Exhibits 2-13 in Civil Case 02 CV 11280 RWZ;	
	7	July 26, 2007 Plaintiffs' Opposition To Lilly's Motion To Stay Entry Of Judgment Pending Reexamination or for Settlement of Form of Final Judgement, Document 411, filed 07/26/2007, pgs. 1-11, including Exhibit 2 in Civil Case 02 CV 11280 RWZ;	
	8	Rule 26(A)(2) Rebuttal Report of Thomas R. Kadesch, Ph.D. dated October 21, 2005 in Civil Case 02 CV 11280 RWZ including Exhibits 1-71 attached with this Fourth Supplemental Information Disclosure Statement, namely: U.S. Patent No. 5,500,365, issued March 19, 1996, Fischhoff et al.; U.S. Patent No. 5,625,136, issued April 29, 1997, Koziel et al.; File History of U.S. Serial No. 08/418,266, filed April 6, 1995; U.S. Patent No. 5,804,374, issued September 8, 1998, Baltimore et al.; U.S. Patent No. 5,939,421, issued August 17, 1999, Palanki et al.; File History of 06/946,365, filed December 24, 1986; File History of U.S. Serial No. 06/817,441, filed January 9, 1986; U.S. Patent No. 6,060,310, issued May 9, 2000, Cho-Chung; File History of U.S. Serial No. 07/791,898, issued November 13, 1991; U.S. Patent No. 6,410,516, issued June 25, 2002, Baltimore et al.; U.S. Patent No. 6,841,371, issued January 11, 2005, Gerlitz et al.; File History of U.S. Serial No. 07/155,207, filed February 12, 1988; File History of U.S. Serial No. 07/162,680, filed March 1, 1988; File History of U.S. Serial No. 07/280,173, filed December 5, 1988;	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415	
	<b>Filing Date</b>	January 4, 2002	
	<b>First Named Inventor</b>	David Baltimore et al.	
	<b>Art Unit</b>	1636	
	<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	8 con t.	<p>File History of U.S. Serial No. 07/318,901, filed March 3, 1989; File History of U.S. Serial No. 07/341,436, filed April 21, 1989; Arruda et al., Blood (2005) 105:3458-3464; Kline et al., Int. J. Immunopharmac. (1984) 6:467-473; Ballard et al., Cell (1990) 63:803-814; Bass et al., Proteins: Structure, Function &amp; Genetics (1990) 8:309-314; Berns et al., Breast Cancer Research &amp; Treatment (1984) 4:195-204; Boda et al., Folia Biologica (1987) 33:93-97; Bressler et al., Journal of Virology (1993) 67:288-293; Brown et al., Methods in Enzymology (1979) 68:109-151; Brown et al., Science (1995) 267:1485-1488; Cai et al., The Journal of Biological Chemistry (1997) 272:96-101; Cunningham and Wells, Science (1989) 244:1081-1085; Davis et al., Science (1991) 253:1268-1271; Du et al., Molecular Brain Research (2005) 136:177-188; Esslinger et al., The Journal of Immunology (1997) 158:5075-5078; Curriculum Vitae of Thomas Robert Kadesch dated 4/26/05; Fenteany et al., Science (1995) 268:726-731; Fiedler et al., Am. J. Respir. Cell Mol. Biol. (1998) 19:259-268; Fujihara et al., The Journal of Immunology (2000) 165:1004-1012; Gallop et al., J. Of Medicinal Chemistry (1994) 37:1233-1251; Gehrt et al., The Journal of Antibiotics (1998) 51:455-463; Gesner et al., Journal of Cellular Physiology (1988) 136:493-499; Gill and Ptashne, Nature (1988) 334:721-724; Haskill et al., Cell (1991) 65:1281-1289; Horuk R., Journal of Immunological Methods (1989) 119:255-258; Hoyos et al., Science (1989) 244:457-460; Kawamura et al. Gene Therapy (2001) 905-912; Khaled et al., Clinical Immunology (1998) 86:170-179; Krappmann et al., The EMBO Journal (1996) 15:6716-6726; Kumar et al., Oncogene (1998) 17:913-918; Lenardo and Baltimore, Cell (1989) 58:227-229; Lloyd et al., Nature (1991) 352:635-638; Logeat et al., The EMBO Journal (1991) 10:1827-1832; LyB et al., The Journal of Biological Chemistry (1998) 273:33508-33516; McKinney et al., The Journal of Biological Chemistry (1997) 272:22377-22380; McKnight and Kingsbury, Science (1982) 217:316-324; Meng et al., Proc. Natl. Acad. Sci. USA, (1999) 96:10403-10408; Morishita et al., Nature Medicine (1997) 3:894-899; Myers et al., Science (1986) 232:613-618;</p>	

EXAMINER  
SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	8 cont.	Nabel et al., Proc. Natl. Acad. Sci. USA, (1996) 93:15388-15393; Nicolau et al., Cell Fusion (1984) pp.254-267; Palombella et al., Proc. Natl. Acad. Sci. USA, (1998) 95:16741-15676; Ray et al., The Journal of Biological Chemistry (1995) 270:10680-10685; Reisine et al., Proc. Natl. Acad. Sci. USA, (1985) 82:8261-8265; Roberts K., Week in Review Desk (1985); Roozmond et al., Immunobiol. (1987) 176:35-46; Sawa et al., Circulation (1997) 96[suppl II]:II-280-II-285; Schindler et al., The Journal of Immunology (1990) 144:2216-2222; Scott and Smith, Science (1990) 249:386-390; Shakhov et al., J. Exp. Med. (1990) 171:35-47; Holden C., Science (1985) 230:302; Tomita et al., J. Hypertens (1998) 16:993-1000; Trepicchio and Krontiris, Nucleic Acids Research (1993) 21:977-985; Tung et al., Proc. Natl. Acad. Sci. USA, (1988) 85:2479-2483; PCT International Application No. WO 90/02809, International Publication Date March 22, 1990; PCT International Application No. WO 90/15070, International Publication Date December 13, 1990;	
	9	October 21, 2005 Rule 26(A)(2) Rebuttal Report Of Thomas R. Kadesch, Ph.D. in Civil Case 02 CV 11280 RWZ;	
	10	February 12, 2001 Response and Amendment in U.S. Serial No. 08/464,364, ADL 0000843-0000853, Document 198, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ;	
	11	Davis et al., Science (1991) 253:1268-1271, Document 198, 02/03/2006, in Civil Case 02 CV 11280 RWZ;	
	12	Haskill, et al., Cell (1991) 65:1281-12889, Document 198, filed 02/03/2006, in Civil Case 02 CV 11280 RWZ;	
	13	March 3, 2004 Memorandum Of Decision And Order on claim construction;	
	14	November 11, 2005 Reply Expert Report of Dr. Stephen Prescott, paragraphs 16-18;	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	15	November 11, 2005 Reply Expert Report of Dr. Jeffrey Ravetch, paragraphs 6-9;	
	16	November 11, 2005 Reply Expert Report Of Dr. Laurie H. Glimcher, page 11 and 12;	
	17	November 11, 2005 Rule 26(b)(2) Reply Report of David M. Livingston, M.D., pages 17-18;	
	18	November 22, 2005 Condensed Deposition of Stephen Prescott in Civil Case 02 CV 11280 RWZ, page 226, line 24 - page 242, line 25 and page 262, line 9 - page 267, line 20;	
	19	November 30, 2005 Condensed Deposition of Jeffrey V. Ravetch in Civil Case 02 CV 11281 RWZ, page 40, line 8 - page 58, line 25;	
	20	Trial Transcript - April 26, 2006 Jury Trial Day 12, Second Session in Civil Case 02 CV 11281 RWZ, page 112, line 10 and page 124, line 16;	
	21	Curriculum Vitae of Dr. Inder Verma;	
	22	October 10, 2007 The Amgen Entities' Responses To Whitehead's First Set of Interrogatories in Civil Action No. 06-259 (MPT);	
	23	October 10, 2007 Wyeth's Responses To Whitehead's First Set of Interrogatories (Nos. 1-15) in Civil Action No. 06-259 (MPT);	
	24	October 11, 2007 Wyeth's Second Set of Requests For Production of Documents And Things (Nos. 22-101) To Ariad, Harvard, MIT, and Whitehead in Civil Action No. 06-259 (MPT);	
	25	October 15, 2007 The Amgen Entities' Responses to MIT's First Set of Interrogatories in Civil Action No. 06-259 (MPT);	

**EXAMINER  
SIGNATURE**

**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	26	October 15, 2007 The Amgen Entities' Responses to Harvard's First Set of Interrogatories in Civil Action No. 06-259 (MPT);	
	27	October 15, 2007 The Amgen Entities' Responses to Ariad's Fourth Set of Requests For Production of Documents in Civil Action NO. 06-259 (MPT);	
	28	October 31, 2007 Wyeth's Fourth Set of Supplemental Responses And Objections To Ariad's First Set of Interrogatories (Nos. 1-25) in Civil Action No. 06-259 (MPT);	
	29	October 31, 2007 Ariad's And The Institutions' Responses And Objections To Wyeth's First Set of Interrogatories in Civil Action No. 06-259 (MPT);	
	30	October 31, 2007 Ariad's And The Institutions' Responses And Objections To Wyeth's First Set of Requests For Production of Documents And Things in Civil Action No. 06-259 (MPT);	
	31	November 6, 2007 Defendant And Counterclaim Plaintiff Ariad's Sixth Set of Requests For Production To The Amgen Entities in Civil Action No. 06-259 (MPT);	
	32	November 7, 2007 Wyeth's First Set of Requests for Admission (Nos. 1-160) To Ariad, Harvard, MIT, and Whitehead in Civil Action No. 06-259 (MPT);	
	33	November 7, 2007 The Amgen Entities' Responses To Ariad's Fifth Set of Requests For Production of Documents in Civil Action No. 06-259 (MPT);	
	34	November 7, 2007 Wyeth's Third Set of Requests For Production of Documents And Things (Nos. 101-109) To Ariad, Harvard, MIT, and Whitehead in Civil Action No. 06-259 (MPT);	

**EXAMINER  
SIGNATURE**

**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	35	November 8, 2007 Wyeth's Responses To Ariad's Third Set of Requests For Production of Documents (Nos. 108-121) in Civil Action No. 06-259 (MPT);	
	36	November 12, 2007 The Amgen Entities' Responses To Ariad's Third Set of Interrogatories in Civil Action No. 06-259 (MPT);	
	37	November 12, 2007 Wyeth's Responses And Objections To Ariad And The Institutions' Second Set of Interrogatories (Nos. 26-29) in Civil Action No. 06-259 (MPT);	
	38	November 13, 2007 Defendant And counterclaim Plaintiff Ariad's Fourth Set of Requests For Production of Documents And Things to Wyeth in Civil Action No. 06-259 (MPT);	
	39	November 15, 2007 Ariad's And The Institutions' Responses And Objections To Wyeth's Second Set of Interrogatories in Civil Case No. 06-259 (MPT);	
	40	November 15, 2007 The Amgen Entities' Second Set of Requests For Admission Directed To Ariad And the Institutions in Civil Action No. 06-259 (MPT);	
	41	November 15, 2007 The Amgen Entities' Third Set of Requests For Production of Documents And things Directed To Ariad And The Institutions in Civil Action No. 06-259 (MPT);	
	42	November 15, 2007 Ariad's And the Institutions' Responses And Objections To Wyeth's Second Set of Requests For Production for Documents And Things in Civil Action No. 06-259 (MPT);	
	43	Deposition Transcript of Dr. Thomas R. Kadesch dated June 21, 2007, Amgen, Inc. v. F. Hoffmann-La Roche Ltd., a Swiss Company, Roche Diagnostics GmbH, a German Company, and Hoffmann-La Roche, Inc., A New Jersey Corporation, U.S. District Court, District of Massachusetts, in Civil Action No. 05-12237 WGY;	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415	
	<b>Filing Date</b>	January 4, 2002	
	<b>First Named Inventor</b>	David Baltimore et al.	
	<b>Art Unit</b>	1636	
	<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	44	October 11, 2007 Wyeth's Second Set of Interrogatories To Ariad, The President And Fellows of Harvard College, The Massachusetts Institute of Technology, And The Whitehead Institute For Biomedical Research in Civil Action No. 06-259 (MPT);	
	45	October 19, 2007 Counterclaim Plaintiffs Ariad's And The Institutions' Second Set of Interrogatories To Wyeth in Civil Action No. 06-259 (MPT);	
	46	October 19, 2007 Counterclaim Plaintiffs Ariad's And The Institutions' Third Set of Interrogatories To The Amgen Entities in Civil Action No. 06-259 (MPT);	
	47	October 22, 2007 Wyeth's Third Set of Interrogatories To Ariad, The President And Fellows of Harvard College, The Massachusetts Institute of Technology, And The Whitehead Institute For Biomedical Research in Civil Action No. 06-259 (MPT);	
	48	November 15, 2007 Amgen Entities' Third Set of Interrogatories Directed To Ariad And the Institutions in Civil Action No. 06-259 (MPT);	
	49	January 18, 2008 Expert Report of Randolph Wall, Ph.D. in the litigation captioned <i>Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	50	The Amgen Entities' 5 <sup>th</sup> Notice of Deposition to Ariad, Whitehead, Harvard and MIT Pursuant to Fed. R.Civ. P.30(b)(6), dated January 25, 2008, in the litigation captioned <i>Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.



<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415	
	<b>Filing Date</b>	January 4, 2002	
	<b>First Named Inventor</b>	David Baltimore et al.	
	<b>Art Unit</b>	1636	
	<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	51	January 31, 2008 Memorandum Order of the Hon. Judge Thyng on Amgen's Motion to Amend and Supplement Their Reply to ARIAD's Counterclaims in the litigation captioned <i>Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	52	January 18, 2008 Expert Report of Jeffrey V. Ravetch, M.D., Ph.D. in the litigation captioned <i>Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	53	January 18, 2008 Expert Report of Randolph Wall, Ph.D. in the litigation captioned <i>Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al.</i> , U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	54	October 21, 2005 Rule 26(A)(2) Rebuttal Report of Thomas R. Kadesch, Ph.D. in the litigation captioned <i>Ariad Pharmaceuticals, Inc. et al. v. Eli Lilly and Co.</i> , U.S. District Court for the District of Massachusetts, CA No. 02 CV 11280 RWZ;	
	55	June 21, 2007 Deposition Transcript of Dr. Thomas R. Kadesch in the litigation captioned <i>Amgen, Inc. v. F. Hoffmann-La Roche Ltd., et al.</i> , U.S. District Court for the District of Massachusetts, CA No. 0512237 WGY;	
	56	November 6, 2007 Transcript of Videotaped Deposition of Patricia Granahan, Sc.D., pgs. 1-235 & A.1-A.23, in Civil Action No. 06-259 (MPT), including i) file history of: 1) 08/464,364 (Pat. No. 6,410,516) [Amgen v. Ariad Plaintiffs Dep. Exh. 195; 2) 08/463,397 (Pat. No. 6,150,090) [Amgen v. Ariad Plaintiffs Dep. Exh. 196]; 3) 08/418,266 [Amgen v. Ariad Plaintiffs Dep. Exh. 197]; 4) 07/341,436 [Amgen v. Ariad Plaintiffs Dep. Exh. 198]; 5) 06/946,365 [Amgen v. Ariad Plaintiffs Dep. Exh. 199]; 6) 07/318,901 [amgen v. Ariad Plaintiffs Dep. Exh. 200]; 7) 07/280,173 [Amgen v.	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415	
	<b>Filing Date</b>	January 4, 2002	
	<b>First Named Inventor</b>	David Baltimore et al.	
	<b>Art Unit</b>	1636	
	<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	56	<p>Ariad Plaintiffs Dep. Exh. 201]; 8) 07/791,898 [Amgen v. Ariad Plaintiffs Dep. Exh. 202] and, ii) deposition Exhibits 1-17 which are attached with this Supplemental Information Disclosure Statement, namely: 1) file history of 07/162,680 [inc. Tabs 1-29] {Granahan Exh. 1}; 2) November 14, 1988 correspondence from Patricia Granahan {Granahan Exh. 2}; 3) Declaration for patent application U.S. Serial No. 07/318,901 {Granahan Exh. 3}; 4) Code of Federal Regulations {Granahan Exh. 4}; 5) August 10, 1990 correspondence from Patricia Granahan {Granahan Exh. 5}; 6) March 22, 1990 correspondence from Patricia Granahan {Granahan Exh. 6}; 7) Manual of Patent Examining Procedure {Granahan Exh. 7}; 8) WO 87/04170 {Granahan Exh. 8}; 9) Redacted front sheet; Notice Informing the Applicant of Communication of the International Application to the Designated Offices issued under PCT Rule 47.1(c) first sentence inc. WO 89/08147 {Granahan Exh. 9}; 10) Redacted; 11) EP 0 407 411 B1 {Granahan Exh. 11}; 12) Redacted; 13) Redacted; 14) Redacted; 15) Redacted; 16) Redacted; and 17) Redacted;</p>	
	57	<p>November 7, 2007 Transcript of Videotaped Deposition of Lisa Marie Treannie, pgs. 1-130 &amp; A.1-A.13, in Civil Action No. 06-259 (MPT), including deposition Exhibits 1-6 which are attached with this Supplemental Information Disclosure Statement, namely: 1) January 18, 1996 correspondence from Kiyoshi Asamura {Treannie Exh. 1, 11-7-07}; 2) February 2, 1996 correspondence from Lisa Warren {Treannie Exh. 2, 11-7-07}; 3) March 17, 1997 correspondence from Lisa Warren {Treannie Exh. 3, 11-7-07}; 4) correspondence from Patricia Granahan {Treannie Exh. 4, 11-7-07}; 5) July 8, 1997 correspondence from Lisa M. Warren {Treannie Exh. 5, 11-7-07}; and 6) U.S. Serial No. 817,441 inc. Tabs 1-28 {Treannie Exh. 6, 11-7-07};</p>	
	58	<p>November 9, 2007 (Draft Transcript) of Matthew Perry Vincent, in Civil Action No. 06-259 (MPT);</p>	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	59	November 13, 2007 Transcript of Videotaped Deposition of David L. Bernstein, Ph.D., pgs. 1-324 & A.1-A.30, in Civil Action No. 06-259 (MPT) including deposition Exhibits 1-16 which are attached with this Supplemental Information Disclosure Statement, namely: 1) Wyeth's First Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6) To Ariad, Harvard, MIT, And Whitehead {Bernstein Exh. 1, 11-13-07}; 2) November 5, 2007 correspondence from Nathan Lowenstein {Bernstein Exh. 2, 11-13-07}; 3) Manual of Patent Examining Procedure {Bernstein Exh. 3, 11-13-07}; 4) Redacted; 5) June 17, 1997 correspondence from Lisa Warren {Bernstein Exh. 5, 11-13-07}; 6) September 15, 1997 correspondence from Lisa Warren {Bernstein Exh. 6, 11-13-07}; 7) Redacted; 8) February 17, 1998 correspondence from Patricia Granahan {Bernstein Exh. 8, 11-13-07}; 9) Notice of Allowance {Bernstein Exh. 9, 11-13-07}; 10) August 30, 1994 memorandum from Patricia Granahan {Bernstein Exh. 10, 11-13-07}; 11) May 15, 2000 correspondence from Harvey Berger {Bernstein Exh. 11, 11-13-07}; 12) Redacted; 13) December 22, 1994 correspondence from Patricia Granahan {Bernstein Exh. 13, 11-13-07}; 14) Redacted; 15) Redacted; and 16) Redacted;	
	60	November 29, 2007 Transcript of Deposition of Laurie Allen, Volume I, pgs. 2-150 & A.1-A.16 in Civil Action No. 06-259 (MPT);	
	61	November 30, 2007 Transcript of Deposition of Laurie Allen, Volume II, pgs. 151-271 & A.1-A.13 in Civil Action No. 06-259 (MPT);	
	62	December 14, 2007 Transcript of Videotaped Deposition of Harvey J. Berger, M.D., pgs. 1-146 & A.1-A.17 in Civil Action No. 06-259 (MPT);	
	63	December 12, 2007 Transcript of Videotaped Deposition of Lita Nelsen, pgs. 2-222 & A.1-A.23 in Civil Action No. 06-259 (MPT)	

**EXAMINER  
SIGNATURE**
**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415	
	<b>Filing Date</b>	January 4, 2002	
	<b>First Named Inventor</b>	David Baltimore et al.	
	<b>Art Unit</b>	1636	
	<b>Examiner Name</b>	D. Guzo	
		<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	64	December 18, 2007 Transcript of Deposition of Isabelle Clauss, Volume I, pgs. 1-100 & A.1-A.10 in Civil Action No. 06-259 (MPT);	
	65	February 22, 2008 Expert Report of David M. Livingston, M.D., in Civil Action No. 06-259 (MPT);	
	66	February 22, 2008 Rebuttal Report of Jeffrey V. Ravetch, M.D., Ph.D., in Civil Action No. 06-259 (MPT);	
	67	February 22, 2008 Rebuttal Expert Report of Randolph Wall, Ph.D., in Civil Action No. 06-259 (MPT);	
	68	March 7, 2008 Reply Expert Report of Warner Craig Greene, M.D., Ph.D., in Civil Action No. 06-259 (MPT);	
	69	December 11, 2007 Amgen Entities' first Amended Reply to Ariad, Harvard, MIT, And Whitehead's Amended Counterclaims, in Civil Action No. 06-259 (MPT);	
	70	January 22, 2008 Telephone Conference before Mary Pat Thyng, U.S. Magistrate Judge, in Civil Action No. 06-259 (MPT);	
	71	February 8, 2008 Defendants-Counterclaim-Plaintiffs Ariad's And The Institutions' Memorandum of Law In Support of Their Motion To Amend Counterclaims, in Civil Action No. 06-259 (MPT);	
	72	February 8, 2008 Declaration of David Greenwald In Support of Defendants-Counterclaim-Plaintiffs Ariad's And The institutions' Motion to Amend Counterclaims, in Civil Action No. 06-259 (MPT);	
	73	March 7, 2008 Defendants-Counterclaim-Plaintiffs Ariad's And The Institutions; Reply Memorandum In Support of Their Reply Memorandum in Support of Their Motion to Amend Counterclaims, Civil Action No. 06-259 (MPT);	

<b>EXAMINER SIGNATURE</b>	<b>DATE CONSIDERED</b>
---------------------------	------------------------

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	74	February 22, 2008 Expert Report of James Mark Jackson, M.D., in Civil Action No. 06-259 (MPT);	
	75	February 20, 2008 Condensed Transcript of Harvey Berger in the litigation captioned Amgen, Inc. Et al. v. Ariad Pharmaceuticals, Inc. et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	76	March 7, 2008 Reply Expert Report of Randolph Wall, Ph.D. in the litigation captioned Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	77	February 20, 2008 Condensed Transcript of Harvey Berger in the litigation captioned Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	78	March 5, 2008 Reply Expert Report of Jeffrey M. Ravetch, Ph.D. in the litigation captioned Amgen, Inc. et al. v. Ariad Pharmaceuticals, Inc., et al., U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	79	October 30, 2007 Memorandum In Support of Eli Lilly And Company's Motion For Relief From Judgment Under Fed. R. Civ. P. 60(b) And for Additional Discovery, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	80	November 15, 2007 Plaintiffs' Opposition To Lilly's Renewed Motion For Judgment As A Matter of Law Or, In The Alternative, A New Trial, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	

EXAMINER  
SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	81	December 5, 2007 Opposition To Eli Lilly And Company's Motion For Relief From Judgment Under Fed. R. Civ. P. 60(b) (Redacted version of document filed under seal), including Exhibits 1-7, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	82	December 13, 2007 Reply In Support of Defendant's Renewed Motion For Judgment As a Matter of Law Or, In the Alternative, A New Trial, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	83	December 26, 2007 Sur-Reply In Support of Plaintiff's Opposition To Defendant's Renewed Motion For Judgment As a Matter Of Law Or, In The Alternative, A New Trial, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	84	February 8, 2008 Notice Of Supplemental Authority, including attachment, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	85	March 10, 2008 Notice of Appeal, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	86	March 18, 2008 Notice of Docketing, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co, U.S. District Court for the District of Massachusetts, in Civil Action No. 02-11280 RWZ;	
	87	Index of Civil Docket For Case No.: 1:02-cv-11280-RWZ starting from July 6, 2007, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co., U.S. District Court for the District of Massachusetts;	

<b>EXAMINER SIGNATURE</b>	<b>DATE CONSIDERED</b>
<p><small>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.</small></p>	

<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore et al.
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	D. Guzo
	<b>Attorney Docket No.</b>	75723-ZB/JPW/GJG

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	88	April 25, 2008 Defendants-Counterclaim-Plaintiffs' Opening Brief on Claim Construction, U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	89	April 25, 2008 The Amgen Entities' Brief In Support of Their Motion For Summary Judgment of Noninfringement of U.S. Patent No. 6,410,516, U.S. District Court for the District of Delaware, in Civil Action No. 06-259 (MPT) Confidential Filed Under Seal;	
	90	April 25, 2008 The Amgen Entities' Brief In Support of Their Motion to Preclude Ariad's Proffered Experts on Willfulness and Inequitable Conduct From Opining on Intent, State of Mind, and Other Matters, U.S. District Court for the District of Delaware, in Civil Action No. 06-259 (MPT) Public Version Confidential Material Omitted;	
	91	April 25, 2008 The Amgen Entities' Brief In Support of Their Daubert Motion To Preclude Certain Unsupported and Unreliable Opinions of Dr. Ryan Sullivan Relating to Damages, U.S. District Court for the District of Delaware, in Civil Action No. 06-259 (MPT) Public Version Confidential Material Omitted;	
	92	April 25, 2008 The Amgen Entities' Brief In Support of Its Daubert Motion To Preclude Certain Proffered Opinions of Dr. Jeffrey V. Ravetch Relating to Written Description and Inherent Anticipation, U.S. District Court for the District of Delaware, in Civil Action No. 06-259 (MPT);	
	93	April 25, 2008 Memorandum In Support of Defendants-Counterclaim-Plaintiffs' Motion for Partial Dismissal For Lack of Subject Matter Jurisdiction, U.S. District Court for the District of Delaware, CA No. 06-259-MPT;	
	94	April 25, 2008 Covenant Not To Sue, U.S. District Court for the District of Delaware, CA No. 06-259-MPT; and	

**EXAMINER  
SIGNATURE**

**DATE CONSIDERED**

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

